



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE May 19, 2006	CONTACT/PHONE Ryan Hostetter 788-2351	APPLICANT Jim Tarver	FILE NO. DRC2005-00133
LOCAL EFFECTIVE DATE June 2, 2006			
APPROX FINAL EFFECTIVE DATE June 23, 2006			
SUBJECT Request by Jim Tarver for a Minor Use Permit/Coastal Development Permit to add 826 square feet of living and garage area to the existing 2,922 square foot single family residence. The project will result in a site total of 1,713 square feet of footprint and 3,748 square feet of gross structural area on an approximately 11,250 square foot parcel. The project will not impact or remove any pine or oak trees. The project is located at 630 Orlando Dr. in the Community of Cambria, in the North Coast Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2005-00133 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on April 17, 2006 (ED05-407).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Terrestrial Habitat, Local Coastal Program, Archaeologically Sensitive	ASSESSOR PARCEL NUMBER 023-025-029	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Setbacks, Height, Footprint and Gross Structural Area Limitations <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program and Terrestrial Habitat, Archaeologically Sensitive Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

EXISTING USES: Residential Single Family	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residential <i>East:</i> Residential Single Family/residential <i>South:</i> Residential Single Family/residential <i>West:</i> Residential Single Family/residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: North Coast Advisory Council, Public Works, Cambria Community Services District, and the California Coastal Commission.	
TOPOGRAPHY: Moderately sloping	VEGETATION: Grasses, forbs, Monterey pine trees, and Coast live oak trees
PROPOSED SERVICES: Water supply: CCSD Sewage Disposal: CCSD Fire Protection: Cambria Fire	ACCEPTANCE DATE: April 11, 2005

PLANNING AREA STANDARDS:

Lot Size: 11,250 square feet

Triple, Forested

Oversized lot adjustment: 2.14

Slope: approx 25 percent

Number of trees to be removed: 0 pine and 0 oaks

Base: 1,200 sq ft footprint, 2,400 sq ft GSA

PROJECT REVIEW	ALLOWABLE	PROPOSED	STATUS
FOOTPRINT (SQUARE FEET)	1,200 x 2.14 = 2,568	1,713	OK
GSA (SQUARE FEET)	2,400 x 2.14 = 5,136	3,748	OK
DECKS (SQUARE FEET)			
PERVIOUS	770.4	0	OK
IMPERVIOUS	256.8	105	OK
HEIGHT (FEET)	28'	23' for addition	OK
SETBACKS (FEET)			
FRONT	10'	10'	OK
REAR	15'	84'	OK
SIDE	5'	5'	OK
STREET SIDE	10'	N/A	OK

LAND USE ORDINANCE STANDARDS:

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

COASTAL PLAN POLICIES: This project is in compliance with the Coastal Plan Policies, The most relevant policies are discussed below.

Public Works:

Policy 1: Availability of Service Capacity applies to the project. The applicant is conditioned to supply a will-serve letter from the Cambria Community Services District for any additional water fixtures.

Coastal Watersheds:

Policy 7: Siting of new development: The proposed project is consistent with this policy because the proposed addition will be located on an existing lot of record in the Residential Single Family category and there is no area of the site with a slope of less than 20 percent.

Policy 8: Timing of new construction: The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15 the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.

Policy 10: Drainage Provisions: The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the addition will not increase erosion or runoff.

Hazards:

Policy 1: New Development: The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.

Policy 2: Erosion and Geologic Stability: The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion or geological instability.

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: The proposed project is consistent with this policy because it will not significantly disrupt the habitat and tree removal and site disturbance have been minimized. There is no tree removal proposed with this project.

Policy 2: Permit Requirement: The proposed project is consistent with this policy because there will be no significant impact on sensitive habitats, and proposed development will be consistent with the biological continuance of the habitat.

Policy 3: Habitat Restoration: The proposed project is consistent with this policy because if removed, Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis; however, there is no tree removal proposed with this project.

Policy 27: Protection of Terrestrial Habitats: The proposed project is consistent with this policy because the project does not propose to remove sensitive vegetation.

Policy 28: Protection of Native Vegetation: The proposed project is consistent with this policy because no tree removal will occur, and site disturbance have been minimized.

Policy 33: Protection of Vegetation: The proposed project is consistent with this policy because site disturbance have been minimized through project design.

Visual and Scenic Resources:

Policy 7: Preservation of Trees and Native Vegetation: The proposed project is consistent with this policy because disturbance has been minimized through project design.

Archaeology:

Policy 4: Preliminary Site Survey: The parcel is in an archeologically sensitive area. A Phase I archaeological survey was conducted on February 13, 2006 (CA Singer and Associates) that found no resources on the site.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: No comment received from NCAC as of April 18, 2006.

AGENCY REVIEW:

Public Works – Detailed drainage, sedimentation and erosion control plan required with building permit.

Cambria Community Services District –Must submit before and after plans and pay remodel impact fees.

LEGAL LOT STATUS:

The existing lots were legally created by a recorded map at a time when that was a legal method of creating lots (Cambria Pines Manor U 7)

Staff report prepared by Ryan Hostetter and reviewed by Mike Wulkan.

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15301 because the project is an addition to a single-family residence and detached garage in a residential zone.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast, is not between the first public road and the ocean, and the project will not inhibit access to the coastal waters and recreation areas.

Terrestrial Habitat

- H. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because no tree removal will occur.

- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed structure has been designed to minimize tree removal and site disturbance, and no tree removal will occur.
- J. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because no tree removal will occur, and site disturbance has been minimized.
- K. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because, as conditioned, the project or use meets drainage and erosion control standards specified by the County Public Works Department.
- L. There will be no significant negative impact to the identified sensitive habitat, because no tree removal will occur.
- M. The project or use will not significantly disrupt the habitat, because it is a single-family residence with minimal site disturbance.

Archaeology

- N. The project design and development incorporates adequate measures to ensure protection of significant archaeological resources because the project has included a preliminary site survey for archaeological resources which found no significant resources on the project site.

EXHIBIT B - CONDITIONS OF APPROVAL

Authorized Use

1. This approval authorizes the addition of 826 square feet of living and garage area to the existing 2,922 square foot single family residence. The project will not impact or remove any pine or oak trees.
2. Maximum height is 28' from average natural grade.

Conditions to be completed prior to issuance of a construction or grading permit

Site Development

3. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
4. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Grading, Drainage, Sedimentation and Erosion Control

5. If grading is to occur between October 15 and April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
6. The applicant shall submit a drainage plan for review and approval by the County Public Works Department.

Fire Safety

7. The applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cambria Fire Department.

Cambria Community Services District

8. The applicant shall apply for a remodel of existing service and pay impact fees to the CCSD. The applicant shall submit a letter from the CCSD showing compliance with this requirement.

Landscape Plan

9. The applicant shall submit for Planning Director review and approval, a Landscape Plan that provides for the planting of all open areas of the site disturbed by project construction with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. In addition, non-native, invasive, and water intensive (e.g. turf grass) landscaping shall be prohibited on the entire site. Conditions applicable throughout project construction

Building Height

10. The maximum height of the project is 28 feet (as measured from average natural grade).
 - A. **Prior to any construction**, a licensed surveyor or registered civil engineer shall first file with the Building Official certification of compliance with the flood hazard elevation requirements, and shall then stake the lot corners, building corners, and establish average finished grade and set a reference point (benchmark).
 - B. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - C. **Prior to approval of the roof-nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer. Grading, Drainage, Sedimentation and Erosion Control
11. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control device or drainage system approved by the County Engineer.
12. Permanent erosion control devices shall be installed prior to or concurrently with on-site grading activities.
13. Grading, filling or site disturbance of existing soil and vegetation shall be limited to the minimum areas necessary.
14. Stockpiles and other disturbed soils shall be protected from rain and erosion by plastic sheets or other covering.
15. All areas disturbed by grading activities shall be revegetated with temporary or permanent erosion control devices in place.

Archaeology

16. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Cambria Community Services District

17. Existing water fixtures shall be retrofitted to current standards under District Ordinance 3-88 as amended.
18. The owners shall provide the District with a copy of county building permit issued for this project.

**Conditions to be completed prior to occupancy or final building inspection
/establishment of the use**

Fire Safety

19. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from Cambria Fire Department of all required fire/life safety measures.

Cambria Community Services District

20. Applicant shall submit for final plumbing inspection upon completion of the project.

Miscellaneous

21. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
22. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and

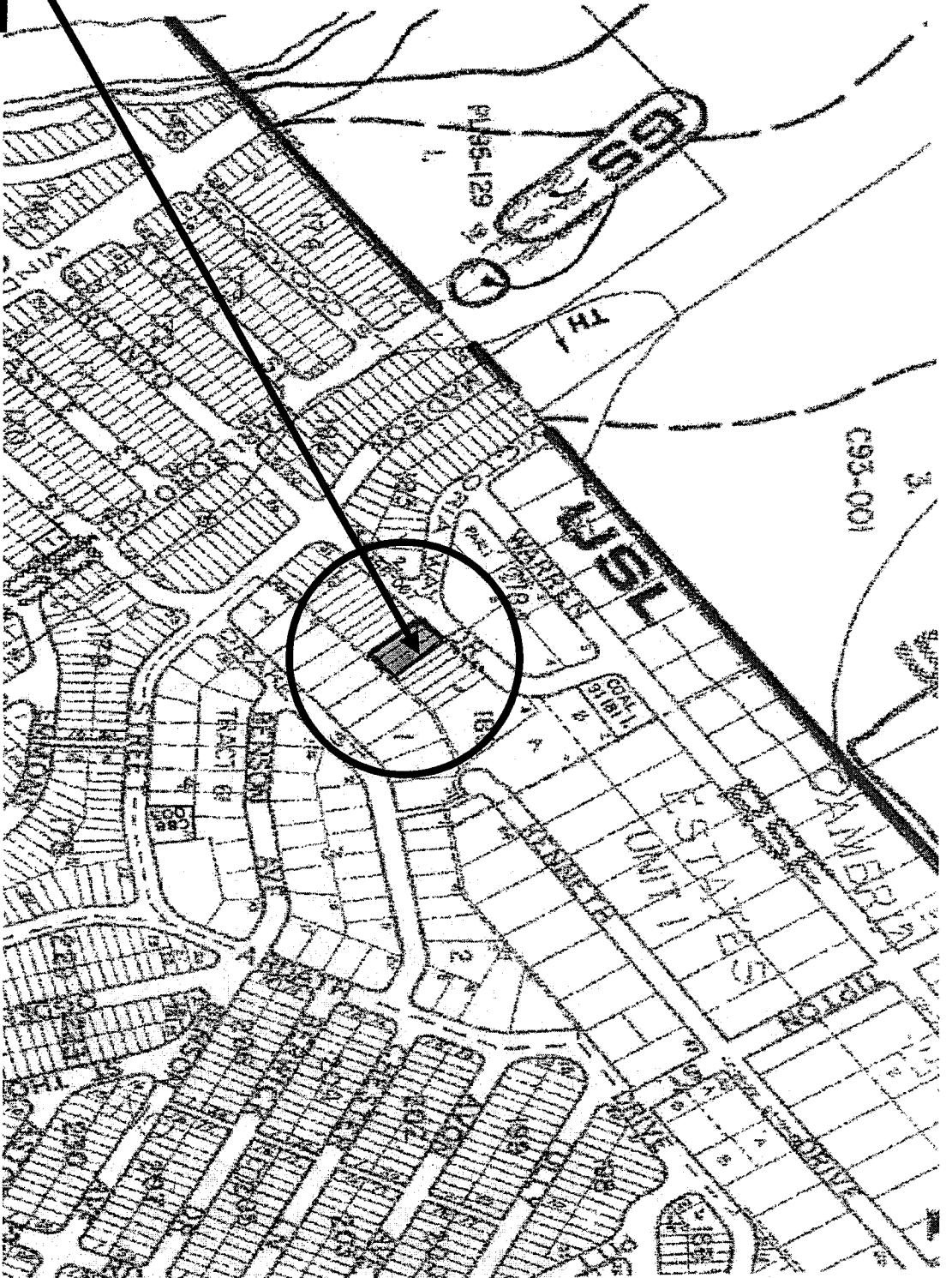
substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').

23. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.

Minor Use Permit
Tarver DRC2005-00133



Vicinity Map



SITE

PROJECT

Minor Use Permit
Taver DRC2005-00133



EXHIBIT

Land Use Category



SITE

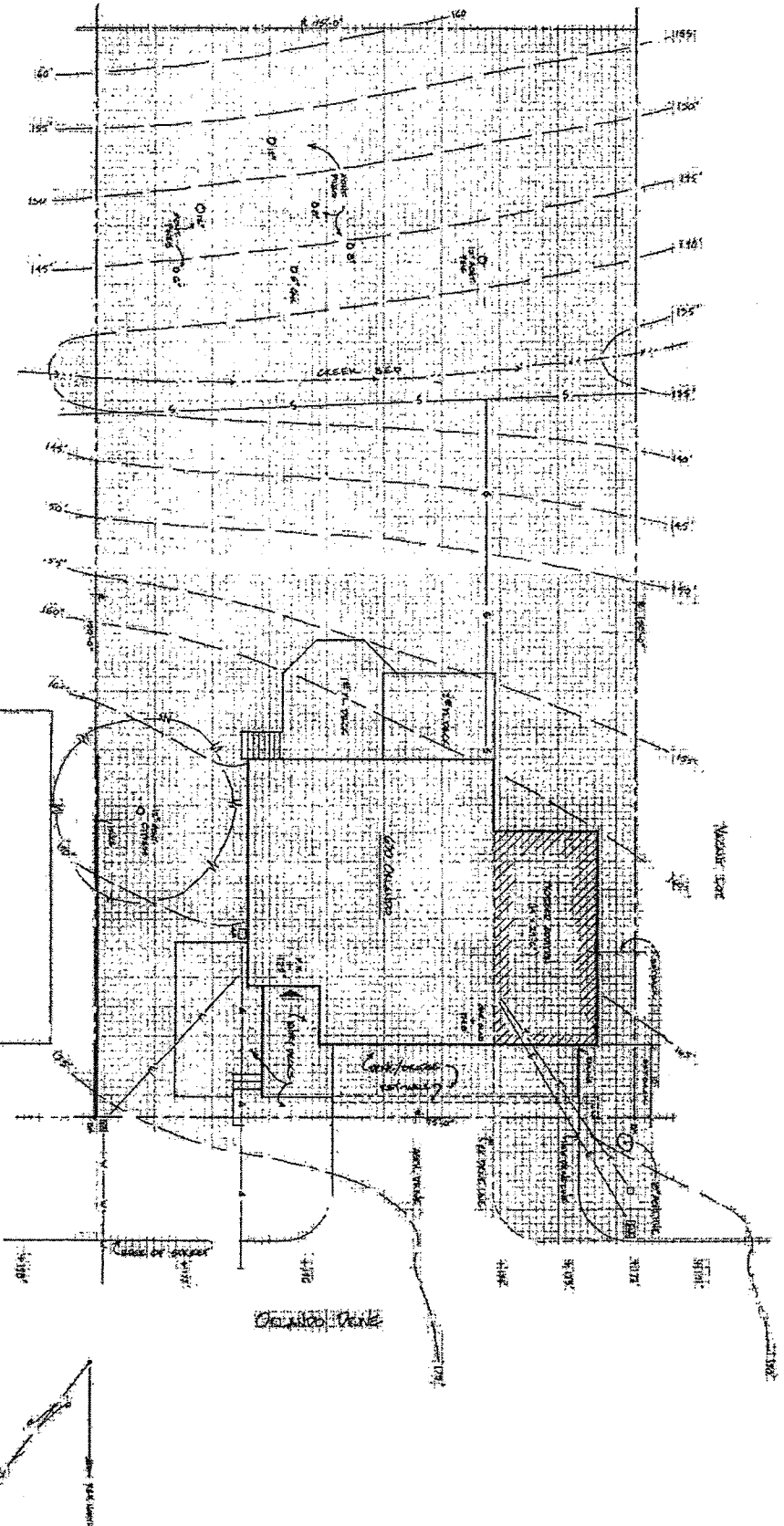
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EXHIBIT

Aerial



LEGEND	
1	WORK UNIT
2	BLANK UNIT
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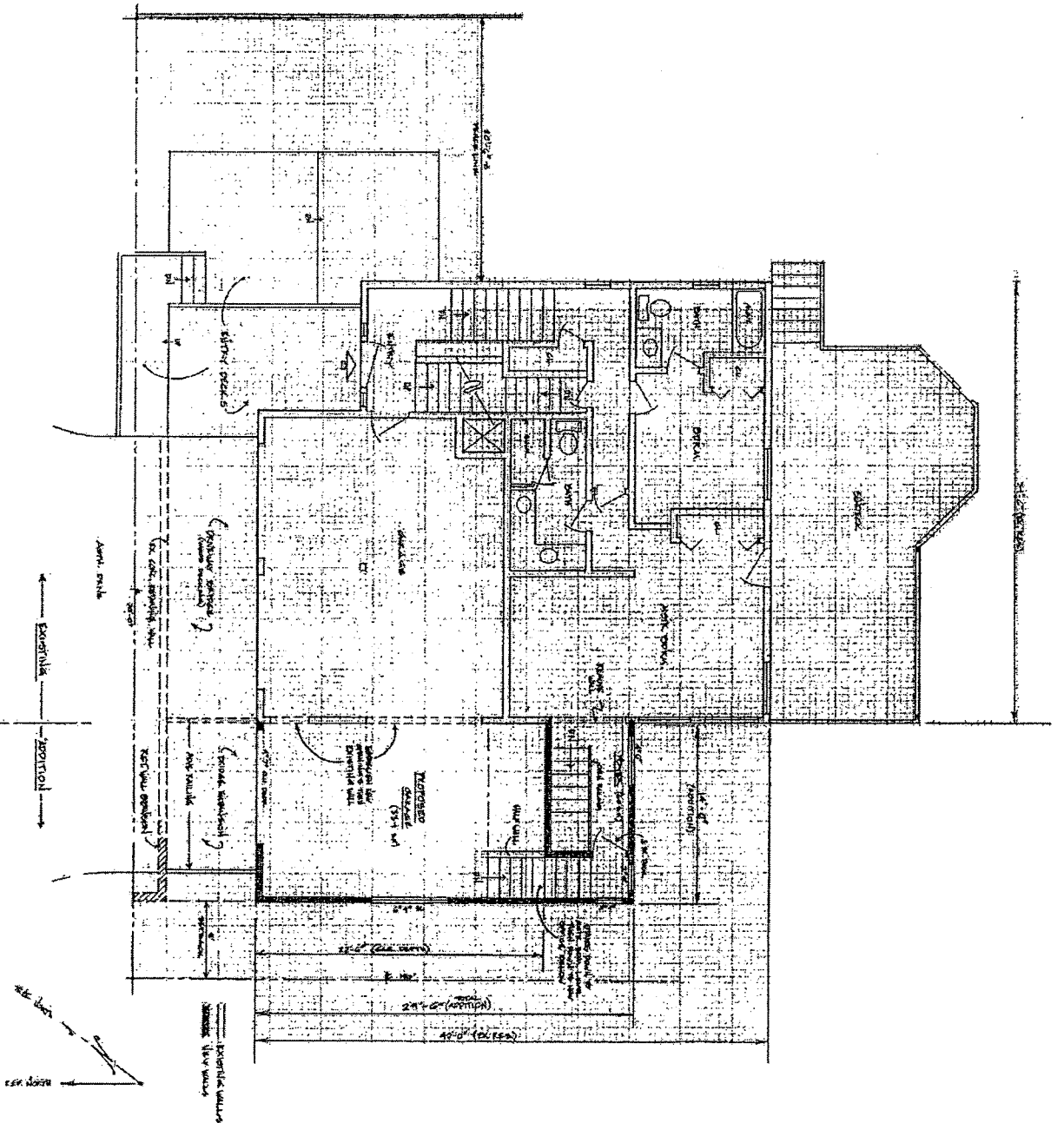
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Minor Use Permit
Tarver DRC2005-00133



EXHIBIT

Site Plan



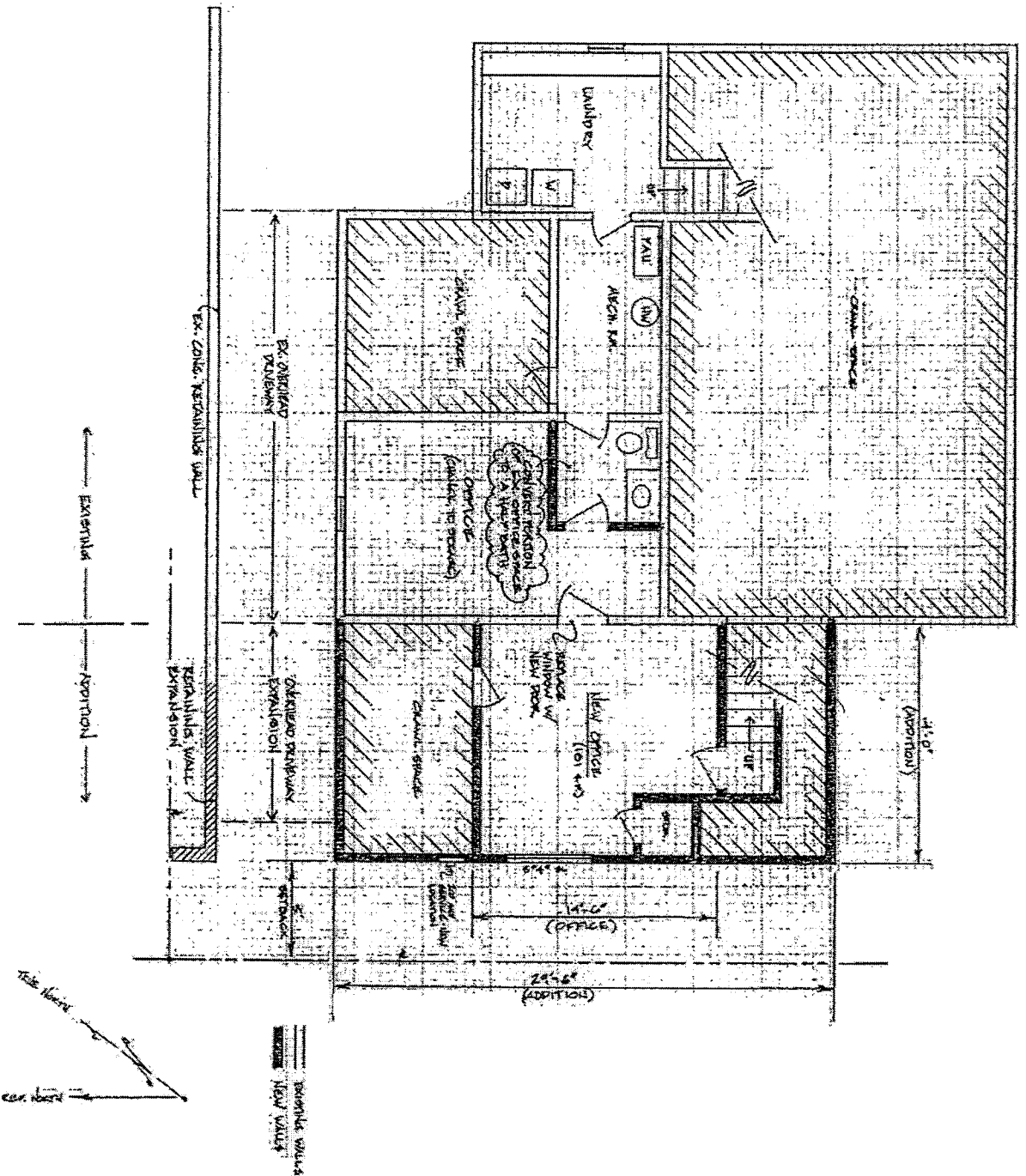
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EXHIBIT

Floor Plan: Lower Level



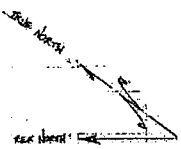
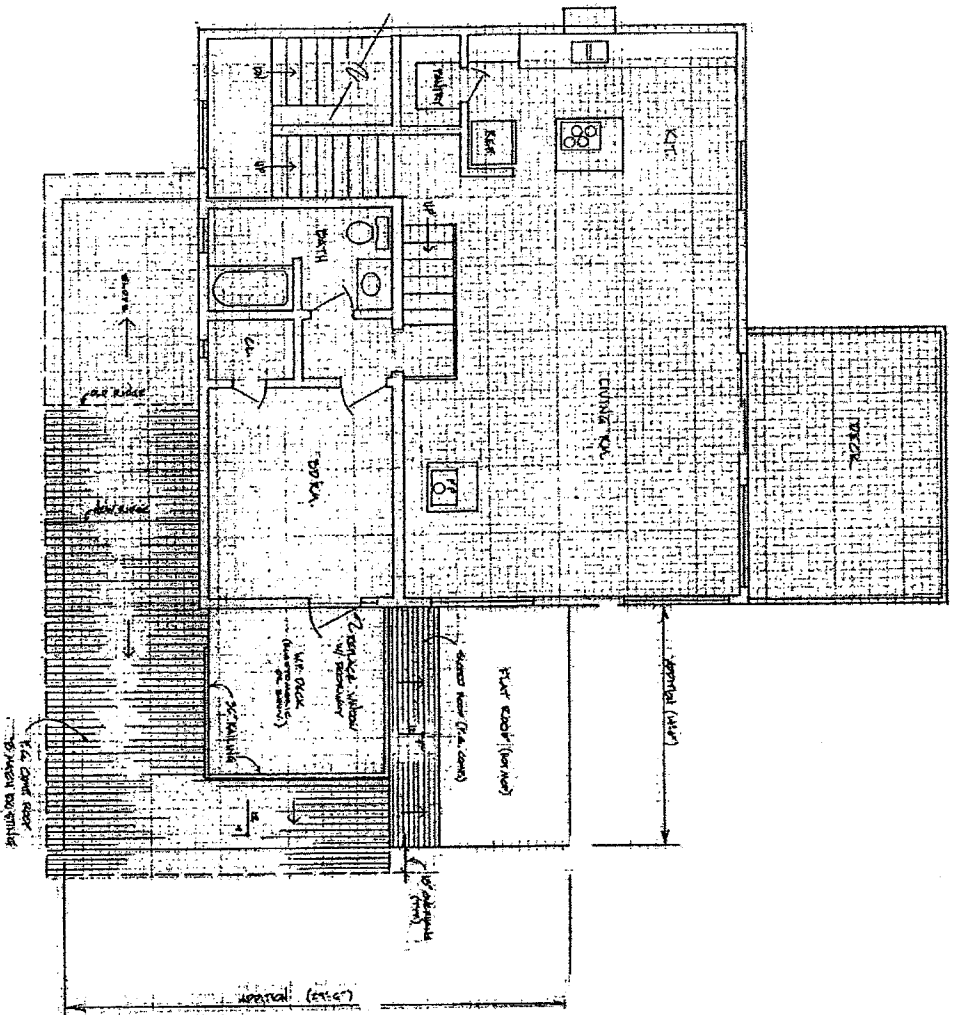
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EXHIBIT

Floor Plan: Basement Level



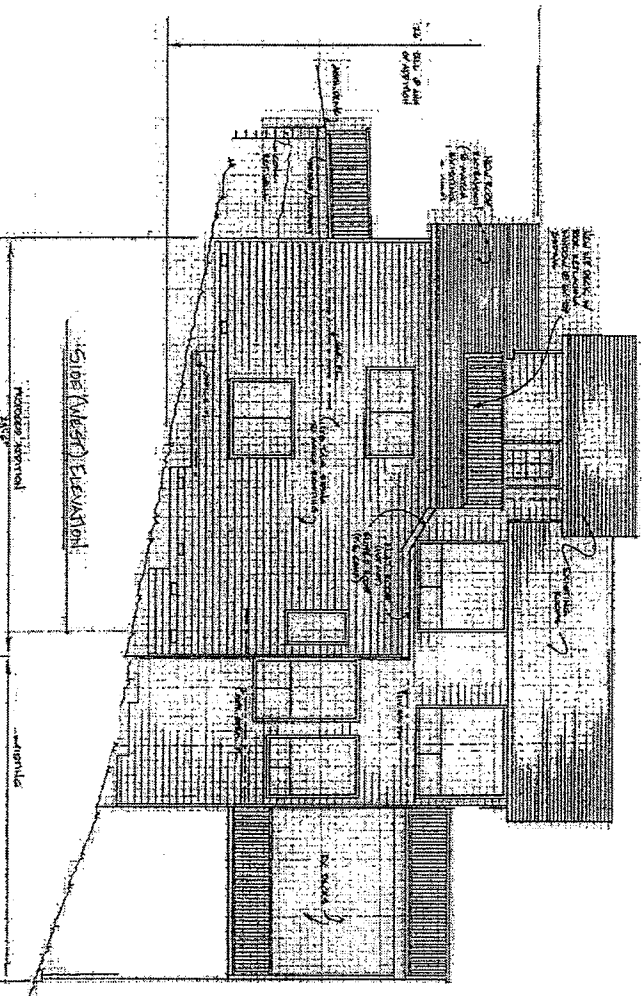
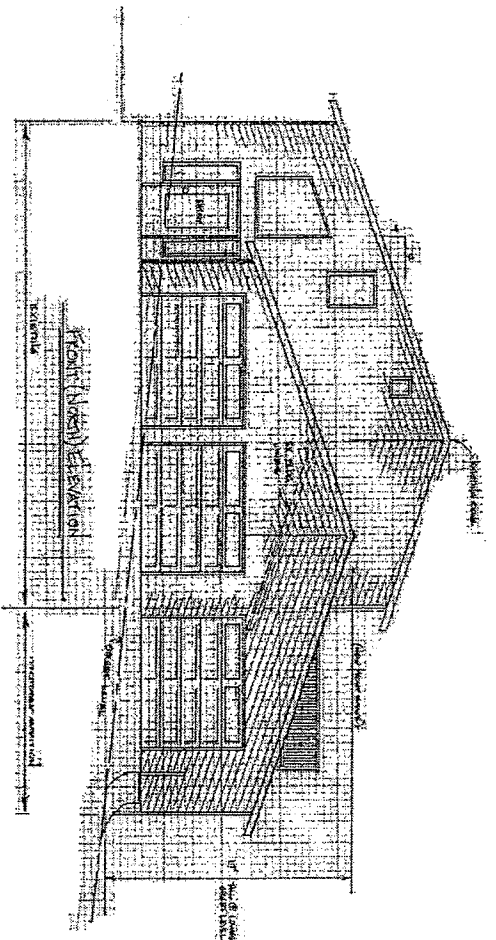
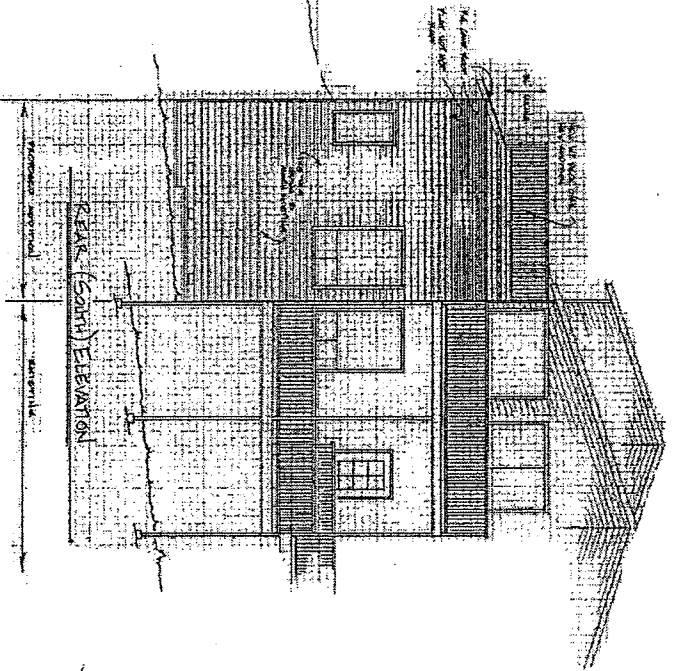
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Minor Use Permit
Tanner DRC2005-00133

EXHIBIT

Floor Plan: Upper Level





PROJECT

Minor Use Permit
Taver DRC2005-00133

EXHIBIT

Elevation

